

REMARKS/ARGUMENTS

Applicants thank the Examiner for the telephone discussion with the undersigned on September 20, 2007, in which the Examiner proposed amendments which would render the claims allowable. Applicants have amended claim 1 accordingly. Thus, the claims are now believed to be in condition for allowance.

REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-5, 9, 10, 14, 16-18, 27, 32, 33, 37 and 40 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Rerek, EP 0 237 111 ["EP '111"]. Applicants respectfully traverse this rejection.

Applicants have amended the preamble of claim 1, from which the remaining rejected claims depend, to recite an oxidizing composition "for dyeing, bleaching, or permanently reshaping hair." EP '111 clearly does not teach such a composition. Instead, EP '111 teaches compositions that are suitable for washing fabrics, which contain, *inter alia*, detergents and detergency builders in effective amounts "when the resulting mixture is combined with water to form an aqueous medium which can be used to wash clothes, fabrics and other articles." EP '111, page 3.

Compositions which are suitable for washing fabrics are distinct from compositions which are suitable for bleaching, dyeing, or permanently reshaping hair. Clearly, compositions which contain detergents and detergency builders, particularly in amounts effective to wash fabrics, are not suitable for bleaching, dyeing, or permanently reshaping hair. Thus, EP '111 fails to teach all the limitations of the claims. Accordingly, withdrawal of this rejection is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: November 21, 2007

Respectfully submitted,

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